



Policy Code: HS - 007

Code of Conduct Policy for Residents and Members of the Public

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REVISION RECORD

Date	Version	Revision description
October 24, 2024	1	Original Code of Conduct Policy for Residents and Members of the Public

1. TITLE: Policy Statement:

- 1.1 The Village of Heisler is committed to serving the community by providing fair, consistent and accessible service to residents and members of the public while attending a village facility, program or while being provided with a village service. The Village of Heisler is also committed to its employees by providing a safe working environment. On occasion, residents and members of the public may make unreasonable demands or act in an inappropriate manner, such as harassing or by being threatening. Employees are expected to treat all residents and members of the public with respect and dignity regardless of the residents or member of public's behaviour.**

2. SCOPE: Purpose:

- 2.1 The purpose of this policy is to contribute to the Village of Heisler's commitment to service excellence and good governance by addressing all requests and complaints equitably and efficiently, while acknowledging that there may be a need to protect staff from inappropriate behaviour. Residents and members of the public, visitors to village facilities, programs or individuals conducting business with the Village of Heisler shall refrain from inappropriate behaviour towards employees, elected officials and any person acting on behalf of the Village of Heisler. If inappropriate behaviour occurs, the Village of Heisler will take appropriate actions to ensure a respectful workplace. From time to time, it may be necessary for the Village of Heisler to restrict or amend the way we allow a resident or individual member of the public to communicate with us or how we communicate with them. This may be at the resident's or member of the public's request, or the Village of Heisler may also choose to restrict a resident or individual member of the public's contact. If the Village of Heisler determines, based on the resident or member of public's previous contact with the village, it is no longer appropriate for them to communicate with the Village of Heisler or the village employees in the same way as other members of the public this policy comes into effect. Where a resident or member of the public continues to behave unreasonably or in an inappropriate manner for a prolonged period of time, or has been deemed that the behaviour is severe, the following policy outlines the necessary steps for restricting the form and manner of contact with the Village of Heisler.**

3. Definitions:

3.1 Chief Administrative Officer (CAO)

Means the Chief Administrative Officer of the Village of Heisler or the general Manager or Departments designated by the Chief Administrative Officer.

3.2 Employee:

Is a person employed by the Village of Heisler which includes and is not limited to any person employed in the capacity of a full-time, part-time, casual, term, seasonal, summer, contracted position or volunteer of the Village of Heisler

3.3 Designate:

A person chosen to officially to do a particular job, e.g. CAO designates a general manager to carry out CAO duties while away.

3.4 Facility:

Is a building, structure, parks, playgrounds, baseball diamonds, tennis courts, campgrounds, walking trails or area whether indoors or not that is operated by the Village of Heisler.

3.5 Resident:

Is any individual that resides in the Village of Heisler.

3.6 Member of the Public:

Is any individual other than an employee as defined in this policy.

3.7 Program:

Is an activity, event, course, or class organized and operated by the Village or through the Village's contracted services.

3.8 Property:

Means lands, premises, road allowances, parks, playgrounds, ball diamonds, campgrounds, tennis courts, walking trails or other grounds associated with buildings owned, leased, or otherwise

controlled by the Village as well as any vehicles including the Village of Heisler pickup truck and equipment.

3.9 Village:

Is the corporation of the Village of Heisler.

4. Inappropriate Behaviour: Includes but is not limited to:

4.1 Non- Compliance:

Refers to the deliberate disregard or violation of the established guidelines or rules governing the use of village property or facilities, as outlined at each respectful location.

4.2 Harassment:

Is any single incident or repeated incidents of objectional, inappropriate, or unwelcome conduct, comment bullying, unwelcome joking or display, action, or gesture by a person that the person knows or ought reasonably to know will or would cause offence, humiliation, or intimidation to another person, or adversely affects the other person's mental and or physical health and safety.

4.3 Hostile:

Is showing strong dislike, behaving unfriendly or aggressive.

4.4 Threatening:

Is having a hostile or deliberately frightening quality or manner, showing an intention to cause bodily harm or causing someone to feel vulnerable or at risk.

Examples of what might be considered inappropriate behaviour are provided below. The list is not exhaustive, nor does a singular action set out below necessitate the application of this policy.

- A. Entering restricted areas or loitering in non-permitted zones of Village facility without proper authorization, leading to potential safety concerns or disruptions to others.**

- B. Wilfully causing damage or vandalism to village property, equipment or engaging in theft or attempted theft of Village property or the belongings to others.**
- C. Using Village equipment or facilities for personal use without permission, or ignoring posted safety guidelines, such as bypassing security measures.**
- D. Failing to adhere to established procedures for the use or maintenance of village facilities, including improper disposal of waste or unauthorized altercations to equipment.**
- E. Engaging in behaviour that creates a hostile environment for others using the facilities, such as verbal abuse, physical altercations, or disrupting scheduled activities by refusing to follow staff instructions or interfering with the activity of others.**
- F. Complaints concerning an issue which staff have already investigated and determined to be groundless.**
- G. Complaints concerning an issue which is substantially similar to an issue which staff have already investigated and determined to be groundless, e.g. with respect to the same neighbour or same property.**
- H. Unreasonable conduct which is abusive including, but not limited to:**
- I. Harassing, verbally abusing or otherwise seeking to intimidate staff dealing with a complaint:**
 - ii. Excessive or multiple lines of inquiry regarding the same issue, e.g. pursuing a complaint with staff in multiple village departments and or elected official simultaneously, while a complaint is in the process of being investigated.**
 - iii. Repeatedly challenging the findings of a complaint investigation, complaining about the outcome and or denying that an adequate response has been given**

- iv. Refusing to accept that an issue falls outside the scope of the village's jurisdiction.
- v. Making unreasonable demands on staff by, for example, insisting on responses to complaints and enquiries within an unreasonable time frame.
- vi. Making statements or providing representations that the subject knows or ought to know are incorrect, or persuading others to do so.
- vii. Demanding special treatment from staff by, for example, not following the normal chain of command and immediately demanding to speak to a manager or supervisor.
- viii. Using new complaints to resurrect issues which were investigated and completed in previous complaints.
- ix. Changing the basis of the complaint as the investigation progress and or denying statements made at an earlier stage.
- x. Refusing to co-operate with the investigation process while still wanting the complaint to be resolved
- xi. Failing to clearly identify the precise issues of the complaint, despite reasonable efforts of staff to obtain clarification of the concerns; or
- xii. Providing false or misleading information.

5. **Process:**

The Village of Heisler's approach to managing residents and members of the public's inappropriate behaviour is to follow a four-stage process.

Anonymous complaints as they are difficult, if not impossible, to assess or investigate will not be dealt with through this policy.

Stage 1 “Warning “:

Members of the public displaying inappropriate behaviour (action, comment or joke that is offensive) will be warned politely by the Village representative they are dealing with. It is important to let the individual know exactly what behaviour has offended you. This initial response is intended to notify the offender that their actions are inappropriate and give the individual an opportunity to change the offensive behaviour.

Stage 2 “The single point of contact “

If the inappropriate behaviour continues, the Village of Heisler may adopt a “

single point of contact “approach. This does not restrict the way the resident or member of the public can deal with the Village of Heisler but restricts contact to one Village employee. The single point of contact should be a supervisor, Council or CAO. This appointed contact is responsible for managing future contact with the Village of Heisler. It is important to note a record of incidents shall be documented on the form found in H.S. 007 (Date, Times, Locations, possible witnesses, what happened, your response, (etc.)

Stage 3 “Restricted Contact Channels “

If the resident or member of the public, even when dealing with their single point of contact, continues to display inappropriate behaviour, their contact channels may be restricted further. For example: only dealing via email, telephone or in person. These decisions will be made by council in collaboration with human resources. It is important to note that the Village of Heisler’s restriction on an individual’s contact enables the Village of Heisler to deal with them efficiently and effectively; however, it may not be permanent. If a resident or member of the public subjected to this procedure alters their behaviour, there is no reason why they should continue to be limited to a single point of contact.

Stage 4 “Public Ban “

If a resident or member of the public continues to display inappropriate or disruptive behaviour despite the previous stages of intervention, a public ban may be implemented. This stage involves restricting the individual from accessing certain village facilities, programs or conducting business with the Village of Heisler. When advancing to stage 4, the resident or member of public should receive formal written notice detailing the reasons for the ban, specific locations or facilities affected, the duration of the ban and any other conditions of the restrictions. The CAO is responsible for issuing and communicating notice, ensuring transparency and proper documentation of the process.

When a resident or member of the public passes from one stage to another, they should receive confirmation of their status accompanied by an explanation. Notice should be provided in writing by the CAO. It is possible for a resident or member of the public to progress from Stage 1 directly to any other stage if the Village of Heisler deems it appropriate to protect its staff warrants the immediate restriction of their contact channels.

The procedures outlined below help guide administration in facilitating the conduct policy for resident and members of the public.

Employees should abide by the Village of Heisler policy and procedures to deal with inappropriate behaviours from residents and members of the public.

If a resident or member of the public shows inappropriate behaviour according to this policy, employees are encouraged to demonstrate empathy, acknowledge the resident or member of the public's situation and feelings, and try to defuse any potentially escalating situations.

6. Employee Responsibilities;

1. Employees must not contribute to any escalations and maintain self-control. Control can be maintained over the interaction by acknowledging the resident or member of the public's anger and by avoiding engagement with personal remarks.
2. Employees must make a genuine attempt to help the resident or member of the public, offer choices and alternatives.
3. If attempts to defuse the situation fails, employees should clearly specify the problematic behaviour to the resident or member of the public by a statement to stop the behaviour, e.g. If you continue to yell, I will have to end this conversation.
4. If inappropriate behaviour continues the employee may decide to take an approach that involves both employee and resident or member of the public stepping away from each other to let emotions subside. This approach may involve the employee explaining to the resident or member of the public that they need a moment away to determine the next steps.
5. If the behaviour is inappropriate, employees should calmly but assertively state that the behaviour is not acceptable. If inappropriate behaviour continues, the employee must explain to the resident or member of the public that they will no longer be served and the employee may physically remove themselves from the situation. (as the work environment permits).

6. If the inappropriate behaviour continues, the employee should state that the resident or member of the public must leave the building / premises / worksite, as applicable. The employee will inform their manager of the incident immediately, complete the Behaviour Issues Submission Form attached to this procedure.
7. If the resident or member of the public interaction is over the phone or any type of virtual call, and if de-escalation techniques are not effective, the employee can use silence to defuse the situation. If the inappropriate behaviour continues, the call should be terminated by the employee and the respected manager or supervisor notified immediately and complete the Behaviour Issues Submission Form attached to this procedure.
8. If an employee notices a resident or member of the public displaying inappropriate behaviour to another resident or member of the public that the village supports a non-discriminatory, respectful environment, and that the behaviour is inappropriate and unacceptable.
9. If a resident or member of the public demonstrates inappropriate behaviour accordingly to policy H.S. 007 or this procedure, the employee should offer them the choice of talking with a manager or supervisor.
 - A. A manager or supervisor should only be called as a last resort, to prevent a resident or member of the public from establishing an expectation that poor behaviour will result in discussions with individuals in higher positions.
 - B. If the manager is unavailable, the name and the work mobile number of the appropriate manager or supervisor may provide to the resident or member of the public.
 - C. Managers and supervisors must use the same prevention and defusing strategies as employees. If the behaviour continues to be inappropriate, the supervisor or manager has the right to refuse service and to terminate the conversation. The resident or member of the public should be advised that their behaviour be modified for future contact.
10. If the resident or member of the public makes threats of violence in person, or refuses to leave, the police will be notified.
11. A Behaviour Issues Submission Form must be completed by the employee if the resident or member of the public is abusive or violent.

12. If an employee is experiencing a persistent or unsatisfied resident or member of the public, they are to report these interactions to their manager or supervisor. If it is the opinion of the supervisor that all appropriate avenues to resolve the situation have been exhausted:
 - A. The supervisor will inform council, Human Resources and or the CAO of the situation.
 - B. The supervisor and or CAO may write a letter to the resident or member of the public to advise them that there are no further actions that the Village of Heisler can take.
 - C. Reinforce the previous decision, directions and associated rationale; instruct the resident or member of the public to correspond solely with the appointed Single Point of Contact, as applicable.
13. All employees are responsible for monitoring the affected areas to ensure Compliance with the ban.
14. If an employee witnessed a banned individual in restricted areas, they are responsible for documenting the incident by completing the Behaviour Issues Submission Form and submitting this record to Human Resources for filing.

Council, CAO and Supervisor Responsibilities:

15. Managers will:
 - A. Reinforce the use of de-escalation strategies and provide training and support to employees who may be exposed to inappropriate behaviour.
 - B. Ensure, as reasonably practicable, a safe workplace by adhering to all applicable Policies, procedures, and legislation.
 - C. Ensure, as reasonably practicable, safety policies, procedures are communicated to employees.
 - D. Remain as objective as possible when faced with a resident

or member of the public's complaint.

- E. Provide the CAO and council with recommendations on the justification of a public ban based on a thorough assessment of the behaviour.

Human Resources (HR) Responsibilities:

16. HR Will:

- A. Keep a database of Behaviour Issues Submissions Forms and on as requested.
- B. Draft ban notices and determine the most appropriate delivery method, whether Internally or through an independent party.
- C. Inform staff when a resident or member of the public advances beyond stage 1 And notify them whenever a public ban is issued.
- D. Notify law enforcement of any banned individual in restricted areas.

Chief Administrative Officer Responsibilities:

17. The CAO Will:

- A. In consultation with HR, evaluate whether a public ban is warranted by considering the severity and persistence of the behaviour, as well as the time and resources already expended by administration and the capacity for further investment.
- B. Periodically review the effectiveness of the public ban and assess whether the Individual's behaviour has changed.

Restricted Contact Record:

1. It is vital for the Village of Heisler to maintain accurate record of all individuals subject to this procedure at any given time. This record / database will be maintained by CAO. When any resident or member of the public is placed on any stage beyond stage 1 it will be communicated to the staff by CAO.

2. Any employee may complete the Behaviour Issues Submission Form found below and request a record to be created for an individual under this procedure; however, the decision for that individual to be placed on “Single Point of Contact “, “Restricted Contact Channel “or “Banned “(Stage 2, Stage 3, or Stage 4) will be decided by council in consultation with the Human the CAO.
3. Each record will be retained for 3 years after it was last amended, at which point it will be reviewed and removed if the Village of Heisler has no further issues with the individual during this period.
4. Each single point of contact originator is responsible for notifying the CAO and Human Resources if they feel the status of any individual in the database needs amending at any given time.

Procedures:

Stage 1 “Warning “

Residents or members of the public displaying inappropriate behaviour (action, comment, or joke that is offensive) will be warned politely by the Village Representative they are dealing with. It is important to let the individual know exactly what behaviour has offended you. This initial response is intended to notify the offensive behaviour. Employees are expected to treat all residents and members of the public with respect and dignity regardless of the resident or members of public’s behaviour. See Employee’s Responsibilities.

Stage 2 “Point of Contact “

If the inappropriate behaviour continues, the Village of Heisler may adopt a “Single Point of Contact “approach. The Single Point of Contact is responsible for maintaining a record of incidents which shall be documented on the form found attached to this procedure below (date, times, location, possible witnesses, what happened, your response, etc).

Steps for Implementing a Single Point of Contact;

1. Assessment and documentation;

Review behaviour; Ensure that the individual’s behaviour has been documented and that all Stage 1 Warning properly documented.

Decision to Single Point of Contact; The supervisor or CAO in collaboration with council will assess whether Single Point of Contact is warranted based on the severity, persistence of the behaviour and documented issues.

Notice: A letter or email from the CAO or supervisor will be provide to the resident or member of the public identifying the inappropriate behaviour, who the Single Point of Contact will be in place before a review is completed to reassess the situation. If a resident or member of the public, even when dealing with their single point of contact, continues to display inappropriate behaviour, their contact channels may then be restricted further.

Steps for Implementing a Restricted Contact Channels;

2. Assessment and Documentation;

Review behaviour; Ensure the individual's behaviour has been documented and that all previous stages have been properly implemented. This includes records of warnings, and single point of contact interactions.

Decision to Restrict Contact Channels; Council in collaboration with Human Resources will assess whether a restricted contact channel is warranted based on severity and persistence of the behaviour.

Notice; A formal letter from the Departmental General Manager will be provided to the resident or member of the public identifying the inappropriate behaviour along with the reasons for the Restricted Contact Channel, the duration of the Restricted Contact Channel before a review is completed to reassess.

Stage 4 "Public Ban "

If an individual continues to display inappropriate behaviour despite the previous stages of intervention, a public ban may be implemented. Continued non-compliance will not be tolerated, and if remedial efforts prove ineffective, access to these privileged facilities maybe revoked. This stage involves restricting the individual from accessing certain public areas or facilities managed by the Village of Heisler.

Steps for Implementing a Public Ban;

Assessment and Documentation;

Review Behaviour; Ensure that the individual's behaviour has been documented and that all previous stages have been appropriately implemented. This includes records of warnings, single point of contact interactions, and restricted contact channels.

Decision to Ban; Senior Management, such as council and CAO will assess whether a public ban is warranted based on the severity and persistence behaviour. Senior Management will recommend whether a public ban is justified based on their assessment of the behaviour. In consultation with senior management, the CAO will make the final decision regarding a public ban.

4. Preparation of Ban Notice:

Draft notice; Prepare a formal written ban notice outlining the reasons for the ban, specific locations or facilities affected, and the duration of the ban. The notice should be clear and comprehensive.

Internal Legal Review; Ensure that the ban notice complies with legal requirements and is enforceable under the Municipal Government Act and Alberta Trespass to Premises Act.

5. Delivery of Ban Notice:

Personal Delivery: Deliver the ban notice to the individual personally, if possible. Document the delivery to ensure the individual is aware of the ban.

Internal Posting: Post visible notices at the affected location or facilities to inform the staff and prevent accidental violations.

6. Enforcement and Monitoring:

Inform Staff: Notify relevant Village Staff about the ban and provide them with a copy of the ban notice.

Monitor Compliance: Monitor the affected areas to ensure compliance with the ban. Address any violations promptly by contacting local law enforcement if necessary.

7. Handling Return after Ban:

Report Violation: If the banned individual returns to the restricted areas, report the incident to local law enforcement. Provide them with evidence of the previous ban and the individual's current actions.

Documentation: Maintain detailed records of any further incidents involving the banned individual, including dates, times, and actions taken.

8. Review and Adjustment:

Evaluation Effectiveness: Periodically review the effectiveness of the public ban and access whether the individual's behaviour has changed.

Consider lifting Ban: If the individual demonstrates appropriate behaviour and complies with Village policies, consider lifting the ban. Provide written notice to the individual confirming the end of the ban.

A Public Ban will be waved for Elections and Public Hearings.

When advancing to stage 4, the individual should receive formal written notice detailing the reasons for the ban and the conditions of the restrictions. The CAO is responsible for issuing and communicating the notice, ensuring transparency and proper documentation of the process.

Under the Alberta Trespass to Premises Act, the process for banning someone and handling their return involves several steps:

1. Issuing a Trespass Notice:

Determine grounds for ban: Establish a valid reason for banning the individual (e.g. disruptive behaviour, damage to property).

Prepare a Written Notice: Draft a written notice specifying the ban, including details like the duration of the ban, reasons for the ban, and the property affected.

Deliver the Notice: The notice should be delivered personally or sent by registered mail to their last known address. Ensure the delivery was documented.

2. Enforcement of the Ban:

Post the Notice: Place visible notices on the property to inform the individual and the public of the ban. Post visible notices at the affected locations and facilities to inform staff and prevent accidental violations. This helps establish that the person is aware of the restriction.

Record Keeping: Keep a record of the notice, including copies of correspondence and documentation of the delivery.

3. Handling Return After Being Banned:

Contact authorities: If the banned individual returns, contact local law enforcement to report the violation of the ban.

Provide Evidence: Supply evidence of the previous ban and any recent incidents involving the individual to law enforcement.

Enforce Trespass Laws: Law enforcement can issue a citation or take further action

based on the individual's actions and specifics of the trespass.

4. Legal Action: (If necessary)

Seek Legal Advice: If the situation persists or escalates, consider seeking legal advice to explore additional actions or measures.

File a Complaint: You may file a formal complaint with local authorities or pursue legal action if the trespasser continues to violate the ban.

The Behaviour Issues Submission Form is provided as an appendix to this procedure.



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Behaviour Issues Submission Form

Name: _____ Date: _____ Position: _____ Facility: _____

Name of Resident or Member of the Public:

Contact Number: _____

Is this a Landowner, Tenant or non-resident?

Landowner: _____ Tenant: _____ Non- Resident: _____

Address or Legal Description: _____

Roll # (If Known): _____

STEP 1 (Warning Details): Dates, Times, Places, Allegations, Witnesses, Details...

STEP 2 (Reason for Single Point of Contact): Dates, Times, Places, Allegations, Witnesses, Details...

Date Notification Sent to Complainant:

Initial of Sender:

STEP 3 (Reason for Restricted Contact): Dates, Times, Places, Allegations, Witnesses, Details....



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STEP 4 Date Notification Sent to Complainant:

Initial of Sender:

Do you currently have a safe work practice in place? (i.e. attending property with 2 people, with local law enforcement, etc...)

Additional Comments:



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For Human Resources Management:

Date Record Created:	
Last Updated:	
Date for Review:	
Signature (Council)	
Signature (CAO)	



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7. ASSOCIATED DOCUMENTS:

7.1 The safety information in this policy does not take precedence over the Occupational Health and Safety (O.H&S.) Act and Regulations. All employees should be familiar with the O.H&S. Act and Regulations.

Council Approved: October 24, 2024

Motion # 24-10-247

Responsibility: Administration

Next Review Date: October 2024